

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

YINTAO YU,  
Plaintiff,

v.

BYTEDANCE INC., *et al.*,  
Defendants.

Case No. [23-cv-04910-SI](#)

**ORDER VACATING TRIAL DATE,  
SUSPENDING BRIEFING ON ALL  
TRIAL-RELATED MOTIONS, AND  
SETTING SCHEDULE FOR BRIEFING  
AND EVIDENTIARY HEARING RE:  
DEFENDANTS' MOTION FOR  
TERMINATING SANCTIONS**

On October 29, 2024, the Court held a zoom conference to discuss scheduling related to defendants' motion for terminating sanctions. As the Court stated during the conference, that motion raises serious issues that must be resolved prior to trial. In particular, the Court is most concerned with defendants' claims that (1) Yu fabricated evidence regarding the anonymous declarant and (2) Yu's testimony at his deposition regarding the bankruptcy petition and bankruptcy declaration was deliberately false.

Accordingly, the Court VACATES the November trial and SUSPENDS briefing on all trial-related matters. After the Court has resolved the sanctions motion, the Court will set a further schedule for the pretrial conference and trial. The Court sets the following schedule on the sanctions motion: plaintiff's response to the sanctions motion shall be filed by **noon on November 7**, and defendants' reply shall be filed by **noon on November 14**. The parties shall deliver two sets of chambers copies<sup>1</sup> **no later than noon on November 8** and **noon on November 15**, respectively.

The Court will hold a hearing on November 18 starting at 10 a.m. At the hearing, counsel

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<sup>1</sup> The chambers copies shall be complete copies of whatever is filed on the docket. In the parties' pretrial filings, the Court received incomplete sets of chambers copies, such as copies of declarations missing the corresponding exhibits.

1 may argue the motion, and plaintiffs' counsel shall be prepared to discuss what they knew and when  
2 regarding the "anonymous declaration." The motion hearing will be followed immediately by an  
3 evidentiary hearing with the following witnesses: (1) Yintao Yu; (2) Haiyi Bao; (3) Linlin Fan; (4)  
4 Nancy Weng of Farsad Law; (5) Melissa Kendra (limited to testimony about contact with Haiyi  
5 Bao); (6) David Lowe of the Rudy Exelrod firm; and (7) any other witnesses the parties wish to call  
6 regarding the anonymous declaration/Haiyi Bao and/or Yu's testimony at his deposition regarding  
7 the bankruptcy petition. If the evidentiary hearing does not conclude on November 18, it shall  
8 resume the following day at 10 a.m. until all witnesses have testified.

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10 **IT IS SO ORDERED.**

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12 Dated: October 29, 2024

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SUSAN ILLSTON  
United States District Judge